


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY  D.C.  
05 AUG 23 AM 6: 53

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TN, MEMPHIS

ZURICH AMERICAN INSURANCE  
COMPANY

Plaintiff and Counter-Defendant

v.

No. 01-2852 D

PORT 740, INC., FULLEN DOCK &  
WAREHOUSE, INC., JIMMY T. WOOD,  
INC., and ANDREW STEWART,

Defendants, Counter-Plaintiffs, and  
Third-Party Plaintiffs,

HARBOR INSURANCE SERVICES, LTD.,  
Third-Party Defendant.

ORDER STRIKING MOTIONS WITHOUT PREJUDICE

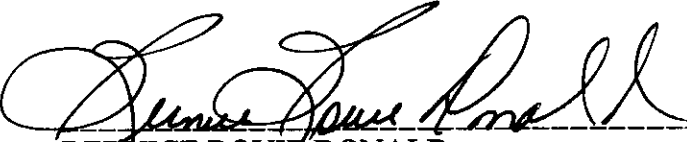
It appears to the Court that the parties have stipulated that this case remains administratively closed, as no party has moved to reopen it. Although the third-party Defendant, Harbor Insurance Services, ("Harbor") has filed a motion for summary judgment, it was not Harbor's intention to reopen the case, but instead to make Harbor's position known to all parties. Moreover, the parties have stipulated that responses to Harbor's motion for summary judgment will not be due until thirty days after an order is entered reopening the case.

This document entered on the docket sheet in compliance  
with Rules 58 and/or 79(a) FRCP on 8/24/05



Accordingly, the Clerk is hereby directed to strike Harbor's motion for summary judgment (dkt. # 84) without prejudice to restoration, if necessary, at whatever time a party requests that the litigation be reopened. Upon notice to the Court, the motion will be restored for full consideration by the Court.

IT IS SO ORDERED this 22 day of August, 2005.

  
BERNICE BOUIE DONALD  
UNITED STATES DISTRICT JUDGE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 88 in case 2:01-CV-02852 was distributed by fax, mail, or direct printing on August 24, 2005 to the parties listed.

---

W. Bryan Smith  
THE COCHRAN LAW FIRM  
One Commerce Square  
26th Floor  
Memphis, TN 38103

Evan T. Caffrey  
PHELPS & DUNBAR  
365 Canal St.  
Ste. 2000  
New Orleans, LA 70130--653

Shannon E. Holbrook  
HARRIS SHELTON DUNLAP COBB & RYDER  
One Commerce Square  
Ste. 2700  
Memphis, TN 38103

Michael B. Neal  
ARMSTRONG ALLEN, PLLC  
80 Monroe Avenue  
Ste. 700  
Memphis, TN 38103--246

Michele Cooper  
MILLS & COOPER  
P.O. Box 24969  
Nashville, TN 37202--496

Robert C. Clotworthy  
PHELPS & DUNBAR  
365 Canal St.  
Ste. 2000  
New Orleans, LA 70130--653

James L. Kirby  
HARRIS SHELTON DUNLAP COBB & RYDER  
One Commerce Square  
Ste. 2700  
Memphis, TN 38103

Honorable Bernice Donald  
US DISTRICT COURT